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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 WALTER MAURICE SAVAGE,

No. 2:04-cv-1079-MCE-PAN-P

12 Petitioner,

13 v.

ORDER

14 STATE OF CALIFORNIA, et al.,

15 Respondents.

16 /

17 Petitioner, a state prisoner proceeding pro se, has filed an
18 Application for a Writ of Habeas Corpus pursuant to 28 U.S.C.
19 § 2254. The matter was referred to a United States Magistrate
20 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General
21 Order No. 262.

22 On January 24, 2006, the magistrate judge filed Findings and
23 Recommendations herein which were served on all parties and which
24 contained notice to all parties that any Objections to the
25 Findings and Recommendations were to be filed within ten (10)
26 days.

1 After receiving an extension of time, Petitioner has filed
2 Objections to the Findings and Recommendations.¹

3 In accordance with the provisions of 28 U.S.C.
4 § 636(b)(1)(C) and Local Rule 72-304, this Court has conducted a
5 de novo review of this case. Having carefully reviewed the
6 entire file, the Court finds the Findings and Recommendations to
7 be supported by the record and by proper analysis.

8 Accordingly, IT IS HEREBY ORDERED that:

9 1. The Findings and Recommendations filed January 24, 2006,
10 are adopted in full;

11 2. Respondents' June 17, 2005 Motion to Dismiss is granted;
12 and

13 3. This action is dismissed as untimely and as pleading
14 claims that are unexhausted.

15 DATED: March 8, 2006

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19 MORRISON C. ENGLAND, JR.
20 UNITED STATES DISTRICT JUDGE
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24 ¹ On February 10, 2006, the magistrate judge extended for ten days the time for filing
25 objections. On March 1, 2006, petitioner filed a request, dated February 23, 2006, for an
26 additional extension of time to file objections. On March 3, 2006, petitioner filed objections,
dated February 28, 2006, to the findings and recommendations. Petitioner's second request for
extension of time is granted and the court has considered petitioner's objections.